

Remarks

Applicants submit these amendments with a Request for Continued Examination in view of the Advisory Action mailed September 1, 2006, in which the Examiner stated that entry of the after final amendments filed August 18, 2006, would raise new issues that would require further consideration and/or search. Applicants previously filed an Amendment and Notice of Appeal on August 18, 2006, in response to a final Office Action dated March 24, 2006. Applicants respectfully request entry of these amendments and that the previously-filed amendments dated August 18, 2006, not be entered.

Claims 1-18 are pending in this application. Claim 1 has been amended to more clearly define the claimed invention. Support for this amended claim can be found throughout the Specification, for example on page 9 line 24, page 25 line 31, page 28 lines 29-33, page 33 lines 7-8 and line 14, page 34 lines 9-10, page 35 line 22, page 37 lines 21-27, page 40 lines 14-15, Example 4 on page 38 and Example 5 on page 40. No issues of new matter should arise by this amendment and entry thereof is respectfully requested.

Objection to Specification and Claims

The Specification is objected to under 37 CFR 1.75(d)(1) and MPEP § 608.01(o) for failing to provide proper antecedent basis for the recitation of a “specific interaction” in the claimed subject matter. Similarly, claims 1-17 are objected to under 35 USC 112 for lacking clear antecedent basis in reciting “specific interaction,” as explicitly recited in claims 1 and 3. Claim 1 has been amended to recite proper antecedent basis for the recitation of “specific interaction” throughout the claim. It is respectfully submitted that support for “specific interaction” can be found throughout the specification, for example, on page 9, line 24, page 25, line 31, page 33, lines 7-8 and line 14, page 34, lines 9-10, page 35, line 22, page 37, lines 21-27 and page 40, lines 14-15.

Applicants respectfully submit that the claims and specification as amended provide proper antecedent basis for the recitation of “specific interaction” and withdrawal of this objection is respectfully requested.

Rejection of Claims 1-17 Under 35 U.S.C. § 102(b)

Claims 1 to 17 stand rejected under 35 U.S.C. § 102(b), as being anticipated by Gargano *et al.* Gargano *et al.* is relied upon by the Examiner in this action for teaching a method that determines efficient binding between intracellular immunoglobulins (scFv fragment) expressed in a yeast two hybrid format and corresponding target antigens in an intracellular environment (yeast cells), and isolation and selection of immunoglobulins which bind successfully (page 176, second full paragraph and Figure 10.1). The Examiner also asserts that Gargano *et al.* specifically provides extending the method to an experimental design tailored to select polyclonal antibody populations on the basis of their binding to a specific antigen in an intracellular environment for subsequent validation and exploitation of their function in functional intracellular experiments (page 176, second full paragraph). Moreover, the Examiner asserts that arguments filed on December 19, 2005, were not persuasive as the recitation of “wherein an immunoglobulin is associated with the first molecule, and wherein an intracellular target is associated with the second molecule...; and assessing the intracellular binding” in claim 1, does not appear to exclude that the *antibody is known*, a teaching that is taught in the method of Gargano *et al.* Alternatively, the Examiner asserts that claim 1 does not specifically and clearly define that *the immunoglobulin and its capacity to bind is unknown*, a teaching that is lacking in Gargano *et al.* This ground of rejection is respectfully traversed.

Applicants respectfully disagree with the Examiner’s assertion that the present claims are anticipated by the Gargano reference. However, in order to facilitate prosecution of this application, claim 1 has been amended to recite that the immunoglobulin associated with the first molecule is unknown and is screened against a desired antigen or target, as described in the specification, for example on page 28, lines 29-33.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Applicants respectfully submit that the claims as amended are neither anticipated nor rendered obvious by Gargano *et al.* While Gargano *et al.* states that “the initial proof of antigen-antibody interaction in the two hybrid format, using a known antigen-antibody pair, is presently being extended to the analysis in the (yeast) two hybrid format of small polyclonal repertoires selected from phage display antibody libraries by panning against a given antigen,” it is respectfully submitted that the reference, fairly read, merely demonstrates intracellular interaction using a *known* antigen-

antibody pair (see page 176, second full paragraph). It is submitted that Gargano *et al.* is merely precatory and fails to teach an actual *direct* screen or selection of several *unknown* immunoglobulins against a given antigen. By contrast, the instant application teaches "screening of entire antibody libraries (of unknown immunoglobulins), such as phage libraries, without prior application of phage display to isolate the antibodies which bind to the desired antigen" (see page 28, lines 29-33, Example 4 on page 38 and Example 5 on page 40).

Thus, Gargano *et al.* does not teach every element of the claimed invention and therefore, does not anticipate claims 1-17 as amended. Accordingly, withdrawal of the rejection of claims 1-17 under 35 U.S.C. § 102(b) over Gargano *et al.* is respectfully requested.

Conclusion

In view of the foregoing remarks, Applicants believe that the application is in condition for allowance. However, if the Examiner disagrees, the Examiner is encouraged to call the undersigned at the number listed below in order to expedite the prosecution of this application.

Respectfully submitted,



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